



STATE OF WASHINGTON  
**COMMISSION ON HISPANIC AFFAIRS**  
*COMISIÓN DE ASUNTOS HISPANOS*

July 28, 2004

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*Uriel Iñiguez,*  
Acting Executive  
Director

Paul Trause  
Director, Labor and Industries  
MS 44001  
Olympia, WA 98504

Dear Mr. Trause:

The Commission receives complaints on a regular basis from farmworkers and farmworker advocates regarding many Labor and Industries issues. Some of these complaints are of real concern. Following is a list of complaints received by the Commission:

**Injured Farmworkers:**

- whose cases are closed, for whatever reason, however, their injury has not fully healed or will be a lifelong condition and they don't have healthcare coverage to continue receiving the medical care (including medication) necessary to treat the condition.
- who are undocumented and have a permanent disability and will no longer be able to perform the line of work they previously performed do not have access to vocational services (retraining) because of their legal status.

**Medical providers:**

- not understanding the L & I System,
- language barriers between providers and farmworkers,
- diagnosing the conditions inappropriately,
- not clearly explaining the condition to the worker,
- and medical providers lacking sensitivity to the needs of the injured individual.

**Pesticide exposure and testing:**

- concerns about follow-up for farmworkers who have abnormal results,
- family members of workers who are constantly exposed to pesticides or live in an environment where the spraying is occurring (in or near orchards).
- enforcement and accountability: how are farmers held responsible for repeated safety and health violations?
- many workers fear that if they raise concerns regarding pesticide exposure, they will be removed from their jobs.
- program sustainability.

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L&I System - Although L&I has made a lot of progress by making information available in the Spanish language, hiring more bilingual staff and providing more outreach, there are still many concerns about access issues and understanding the L& I system. This includes:

- knowledge of status of claim,
- computation for wage to determining time loss benefits,
- understanding role of medical providers who perform individual medical examinations,
- wage and hour enforcement for non paid wages,
- clarifying employed versus subcontractor status,
- services and resources available.

The Commission appreciates the work your agency has done to address issues that Latinos across the state face and we look forward to working with you to address items indicated above.

Regards,

Uriel Iñiguez  
Acting Executive Director

Leo Gaeta  
Chair